

SUPREME COURT STATE OF NEW YORK
COUNTY OF KINGS

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911 REALTY CORP.,

Index No.:
Filed:

Plaintiff,

-against-

ARIHAY KAIKOV and
A&E.R.E. MANAGEMENT CORP.

The basis of venue is
the property is located
in Kings County

SUMMONS

Defendants,

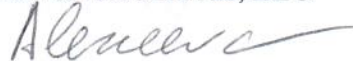
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THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the Verified Complaint in this action and to serve a copy of your Answer, or, if the Complaint is not served with this Summons, to serve a notice of appearance, on Plaintiff's Attorney within twenty (20) days after the service of this Summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in the case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

Dated: May 13, 2019

TEMKIN & ASSOCIATES, LLC



Elena Alexeeva, Esq.. #5407721
1229 Broadway, Suite 109
Hewlett, New York 11557
Phone: (215) 494-9289
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elena@temkinlegal.com

EXHIBIT 4

To: ARIHAY KAIKOV
65-38 Booth St #2H
Rego Park, NY 11374

A&E.R.E. MANAGEMENT CORP.
382 I U Willets Road
Roslyn Heights NY 11577

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COMPLAINT

Plaintiff, 911 REALTY CORP., by their attorneys TEMKIN & ASSOCIATES, LLC, alleges against Defendants ARIHAY KAIKOV and R A&E.R.E. MANAGEMENT CORP., upon information and belief, as follows:

PARTIES

1. Plaintiff, 911 REALTY CORP (“**Plaintiff**” or “**911 Realty**”) is incorporated in the state of New York and doing business in the County of Kings.
2. Upon information and belief, Defendant, ARIHAY KAIKOV (“**Kaikov**”) was and is at all times an individual resident of the County of Nassau residing at 65-38 Booth St #2H, Rego Park, NY 11374.
3. Upon information and belief, that at all times hereinafter mentioned Defendant A&E.R.E. MANAGEMENT CORP., (hereinafter “**A&E.R.E. Management**”) is a corporation duly organized and existing under the laws of the State of New York with a principal place of business at 382 I U Willets Road, Roslyn Heights, NY 11577 and doing business in the County of Kings.
4. Upon information and belief, at all times hereto, A&E.R.E. Management

was owned solely by Kaikov.

AS AND FOR A FIRST CAUSE OF ACTION

5. This action seeks declaratory and equitable relief with the result that Plaintiff is declared the lawful owner of real property located and situated in the County of Kings at 844 Herkimer Street, Brooklyn, New York 11233 (the “**Herkimer Street Property**”) and the deed to the Herkimer Street Property is transferred to Plaintiff.

6. Sometime in December 2012, Kaikov approached his cousin, Chalamo Kaikov (“**Chalamo**”) to solicit investment into a joint business venture wherein Chalamo and Kaikov would put up money in order to acquire, own, renovate, manage and sell real properties for profit.

7. As a result, sometime in December 2012, Chalamo and Kaikov entered into a verbal agreement wherein Chalamo agreed to expend capital monies for the aforementioned venture (the “**Agreement**”).

8. During 2012 – 2018, Chalamo invested over \$1,000,000 in the joint venture.

9. Pursuant to the Agreement, Chalamo and Kaikov decided to form a joint corporation 911 Realty Corp., where Chalamo and Arihay would be de facto 50-50% owners, Chalamo’s son Khanan would hold a position of President, and which would hold the tiles and/or deeds for the invested properties and account for joint investments and expenses.

10. Pursuant to the Agreement, over the course of 2017, 911 Realty Corp. expended monies in excess of \$70,000 for renovation of the Herkimer Street Property.

11. Pursuant to the Agreement, Kaikov was to transfer the deed to the

Herkimer Street Property to 911 Realty, for consideration of the capital monies, invested by Chalamo to the joint project and monies expended by 911 Realty Corp. for renovations of the Herkimer Street Property.

12. Upon information and belief, in violation of the Agreement, Kaikov recorded the deed in the name of A&E.R.E. Management.

13. Upon information and belief, in violation of the Agreement, Kaikov failed to transfer the deed to the Herkimer Street Property to Plaintiff.

14. Upon information and belief, Kaikov never intended to transfer the deed to Plaintiff.

15. Upon information and belief, Kaikov converted the monies invested in the Herkimer Street Property for his own use.

16. Since the Herkimer Street Property was subject to the Agreement, Plaintiff should be the deeded owner of the Herkimer Street Property.

WHEREFORE, Plaintiff demands Judgment against the Defendants as follows:

- a) on the First Cause of Action, that the Court transfer the deed for the Herkimer Street Property to Plaintiff;
- b) on the First Cause of Action, money judgment against Defendants in the amount to be determined at trial;
- c) Punitive damages in an amount to be determined at trial;
- d) Costs, disbursements and legal fees associated with the bringing of this action, and any further relief this court deems just and proper.

Dated: May 13, 2019

Respectfully submitted,

TEMKIN & ASSOCIATES, LLC



Elena Alexeeva, Esq.. #5407721
1229 Broadway, Suite 109
Hewlett, New York 11557
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elena@temkinlegal.com

VERIFICATION

STATE OF NEW YORK)
)
COUNTY OF KINGS) ss.:

911 REALTY CORP. being duly sworn deposes and states that: I am the Plaintiff in this action. I have read the foregoing verified complaint and know the contents thereof. The same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief and as to those matters I believe to be true.


KHANAN KAIKOV,
President of 911 Realty Corp.

Sworn to me before this
10 day of May, 2019


Notary Public

Jenice Hernandez
Notary Public, State of New York
No. 01HE6359254
Qualified in Bronx County
Certified in New York & Kings County
Commission Expires May 22, 2021
The UPS Store | 82 Nassau St / 212.406.9010

State of New York
County of New York

ATTORNEY CERTIFICATION

I, Elena Alexeeva, Esq., hereby certify, under penalty of perjury, and as an officer of the court, that to the best of my knowledge, information and belief, formed after an inquiry reasonable under the circumstances, that the presentation of the within papers or the contentions therein are not frivolous within the meaning of 22 NYCRR Section 130-1.1(c).

Dated: May 13, 2019



Elena Alexeeva, Esq.